

Green Facts

Certificates of Approval – Municipal and Private Sewage Works

The Environmental Assessment and Approvals Branch (EAAB) of the Ministry of the Environment issues “Certificates of Approval” under the *Ontario Water Resources Act* (OWRA) for the treatment and disposal of sewage by municipal and private systems. Certificates of Approval are required for facilities that discharge contaminants to groundwater and/or surface water. This fact sheet provides information for prospective operators and owners of municipal or private facilities that dispose of waste water or storm water to surface water bodies, onto the surface of the ground and into groundwater.

What requires approval?

Section 53 of the *Ontario Water Resources Act* (OWRA) requires that an approval must be obtained in order to establish, alter, extend or replace any sewage works (sewage works are defined as works used for the collection, transmission, treatment or disposal of wastewater, but not including plumbing to which the *Building Code Act, 1992* applies).

Operations that require approval include but are not limited to:

- municipal or private sewage treatment lagoons;
- municipal septage disposal lagoons;

- subsurface sewage disposal systems (>10,000 litres per day);
- municipal or private mechanical sewage treatment plants;
- sewage pumping stations;
- storm water management facilities;
- sanitary and storm sewers.

The ministry requires municipal ownership and responsibility for operation and maintenance of newly proposed communal sewage works and existing communal sewage works when expansion is proposed. A communal sewage works is any sewage works serving more than five units of full-time or seasonal residential or industrial/commercial occupancy or other occupancy as determined by ministry staff. Where municipal ownership of communal works cannot be achieved, applicants should contact their local District Office prior to submitting an application for approval of the works.

Are there exemptions to the requirement to obtain a Certificate of Approval?

Specific exemptions for certain types of sewage works equipment, systems and applications have been granted through legislation. The OWRA and the Approval Exemption Regulation (O.Reg. 525/98) exempt certain minor sewage works from the approval requirements of the Act.

These exempted works include:

- sewer service connections and appurtenances;
- same size and capacity replacement sewers (not including combined sewers);
- storm water management facilities designed to serve a single lot or parcel of land (excluding industrial land) and discharging into a storm sewer (but not combined sewer); and

There is also exception from approval requirements under Section 53 for:

- a sewage works from which sewage is not to drain or be discharged directly or indirectly into a ditch, drain or storm sewer or a well, lake, river, pond, spring, stream, reservoir or other water or watercourse – that are below a certain capacity and that are located on the same lot or parcel of land as the residence or other building or facility served by the works;
- a privately-owned sewage works designed for the partial treatment of sewage that is to drain or be discharged into a sanitary sewer;
- a sewage system that is subject to the *Building Code Act, 1992*;
- a drainage works under the *Drainage Act* or a sewage works where the main purpose of the works is to drain land for the purpose of agricultural activity; and
- a drainage works under the *Cemeteries Act*, the *Public Transportation and Highway Improvement Act* or *The Railways Act*.

How do I obtain a Certificate of Approval?

An application for a Certificate of Approval must be submitted to the EAAB for most sewage works. This application should include a completed application form, the required application fee and any supporting information identified on the application form or in the application guidance material. A copy of the application form and supporting information should also be submitted to the ministry's District Office serving the area of the site.

Application forms, application guidance material and contact information for the ministry's District Offices are available from the EAAB and in the "Publications" section of the ministry web site at www.ene.gov.on.ca.

What should I do before I apply for approval?

Consultation is recommended prior to the submission of an application for approval. Pre-application consultation is a dialogue between the applicant, the Ministry, and possibly the public. Pre-application consultation is meant to assist applicants in defining the environmental objectives for the project, such as effluent requirements, determining the requirements regarding characterisation of the source of raw water, identifying any special approval related requirements, and determining the need for public consultation/notification.

Pre-application consultation is required for all projects involving construction of sewage/wastewater treatment and disposal facilities, expansion or re-rating of existing facilities, major modifications/upgrades to existing facilities, and introduction of an innovative technology. Also, depending on their scope, it is recommended for less complex projects.

Applications should be filed at least six to eight weeks prior to the proposed start of construction or modification of the sewage works equipment or processes. The application review will take longer if the proposal is complex in nature. It will also take longer if additional information is necessary for proper assessment or if the proposal needs to be subjected to a public consultation or hearing process.

Applications are best filed after the applicant has addressed local public concerns about the proposal. The applicant should also determine whether the *Environmental Assessment Act* (EAA) applies to the undertaking and, if so, ensure that any relevant

EAA requirements are met before submitting an application for a C of A.

What happens to my application once it is submitted?

Applications are screened for completeness by the EAAB. Incomplete applications may be returned at the application processing stage. Applicants should receive acknowledgment of receipt of their applications within two weeks of submitting them.

Public notification, if required under the *Environmental Bill of Rights*, is undertaken as part of the Certificate of Approval application to the Ministry.

Applications are reviewed by ministry engineers to assess if the application demonstrates compliance with the OWRA and applicable Regulations and Guidelines.

The information contained in this document is of a general nature only and is not intended to constitute advice for any specific situation. Please note that the texts of many Ontario statutes and regulations are available on the Internet at www.e-laws.gov.on.ca.

For more information about Certificates of Approval or to obtain an application package, please contact:

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